

right of the claimant to allege and prove in any other action that the product or any like or similar product was not a drug and was not misbranded. The claimant also consented to the entry of a decree of condemnation against the product. In accordance with the answer and consent of the claimant, judgment of condemnation was entered on September 7, 1945, and the product was ordered released under bond for the purpose of relabeling under the supervision of the Federal Security Agency. On October 29, 1945, the claimant filed a report with reference to the disposition of the product, alleging that by reason of a mistake made in good faith the product had been redelivered to the claimant and reprocessed and used in the feeding of hogs on an experimental farm owned by the claimant, prior to the entry of the decree of condemnation. On the same date, the court having found that the above-described disposition of the product was occasioned by a good-faith mistake, an order was entered providing for the cancellation of the bond and the release of the claimant and its surety from further liability thereon.

**2447. Misbranding of lye. U. S. v. 78 Cases \* \* \*. (F. D. C. No. 24367. Sample No. 21302-K.)**

**LIBEL FILED:** March 4, 1948, Eastern District of Oklahoma.

**ALLEGED SHIPMENT:** On or about December 28, 1947, by the Bray Chemical Co., from Chicago, Ill.

**PRODUCT:** 78 cases, each containing 48 cans, of *lye* at Muskogee, Okla. Analysis showed that the product consisted essentially of 95.6 percent of sodium hydroxide or lye and a small amount of sodium carbonate.

**LABEL, IN PART:** (Cans) "13 Ounces Net Weight Griffin's High Test Lye."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statement "For Hogs—Griffin's Lye Is An Aid in Preventing Hog Cholera and Eradicating Worms" was false and misleading, since the article was not effective as an aid in preventing hog cholera and was not effective in eradicating worms which infest hogs.

The article was alleged also to be misbranded under the Federal Caustic Poison Act, as reported in notices of judgment on caustic poisons under that Act.

**DISPOSITION:** June 14, 1948. The Griffin Grocery Co., Muskogee, Okla., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

#### **DRUG ACTIONABLE BECAUSE OF OMISSION OF, OR UNSATISFACTORY, INGREDIENTS STATEMENTS\***

**2448. Misbranding of Estrinol. U. S. v. Bellevue Laboratories, Inc., and Chiam Dick. Pleas of guilty. Fine of \$100 against defendants jointly. (F. D. C. No. 20109. Sample No. 4447-H.)**

**INFORMATION FILED:** January 29, 1948, Southern District of New York, against Bellevue Laboratories, Inc., New York, N. Y., and Chiam Dick, president.

**ALLEGED SHIPMENT:** On or about March 16, 1945, from the State of New York into the State of Pennsylvania.

**NATURE OF CHARGE:** Misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label did not bear the common or usual name of the active ingredients.

**DISPOSITION:** July 14, 1948. Pleas of guilty having been entered, the court imposed a fine of \$100 against the defendants jointly.

#### **DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS\*\***

**2449. Misbranding of sulfathiazole tablets. U. S. v. 430 Bottles \* \* \*. (F. D. C. No. 24495. Sample No. 7810-K.)**

**LIBEL FILED:** March 18, 1948, Western District of New York.

**ALLEGED SHIPMENT:** On or about December 23, 1947, by the Atlanta General Distribution Depot, from Atlanta, Ga.

\*See also Nos. 2403, 2408, 2409.

\*\*See also Nos. 2403, 2420.

**PRODUCT:** 430 bottles of *sulfathiazole tablets* at Buffalo, N. Y. Examination showed that each bottle contained approximately 665 whole tablets and broken pieces of approximately 335 tablets.

**LABEL, IN PART:** "1000 Tablets Sulfathiazole."

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of contents.

**DISPOSITION:** May 24, 1948. The Ziegler Pharmacal Co., Buffalo, N. Y., having appeared as claimant, judgment was entered ordering that the product be released under bond for reprocessing under the supervision of the Federal Security Agency.

**2450. Misbranding of absorbent cotton. U. S. v. 20 Cartons \* \* \*. (F. D. C. No. 24392. Sample No. 10412-K.)**

**LABEL FILED:** March 17, 1948, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about January 8, 1948, by New Aseptic Laboratories, Inc., from Columbia, S. C.

**PRODUCT:** 20 cartons, each containing 1 gross packages, of *absorbent cotton* at Brooklyn, N. Y.

**LABEL, IN PART:** (Package) "2 Ozs. Salco Absorbent Cotton."

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of contents. (The article was short-weight.)

**DISPOSITION:** June 16, 1948. Default decree of condemnation. The product was ordered delivered for the use of a Federal hospital.

## INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 2401 TO 2450

### PRODUCTS

	N. J. No.		N. J. No.
Adhesive bandages	2434	Hartman's, Dr., Modified Diabetic Treatment	<sup>3</sup> 2417
Androgenic hormone	2401	Injection preparations. See Parenteral drugs.	
Arthritis, remedy for	2423	Johnson's, Dr., Private Formulas Nos. 1, 4, and 5	2435
Bandages, adhesive	2434	Johnson's Rheumatic Tonic and Blood Purifier	2420
Bed pads, Therm-Aire heated	2440	Kolex Liquid for Poultry	2445
Bush Mulso Tablets, Bush Endo-Veg, and Bush Lemo Tabs	<sup>2</sup> 2405	La Toja Bath, La Toja Toilet Soap, and La Toja Mud Soap	2426
CWD Liquid for Poultry	2445	Laxative without required warning statements	2404
Cal-G-Sol	2410	Lewis Spray for Poultry, Lewis Worm Killer, and Lewis Muroil	2444
Catnip	2413	Lin-A-Cea	2418
Cosmo-Light device	2437	Lye	2447
Cotton, absorbent	2450	MBX Liquid for Poultry	2445
Dapper Hair and Scalp Tonic	2427	Major-B Brand Natural B-Complex Tablets	2429
Devices	2402, 2406, 2414-2416, 2435-2440	Marvel Massage Cream and Marvel Bath	2425
Diabetes, remedy for	<sup>3</sup> 2417	Millet cereal	2431
Dolamin	2410	Million Dollar Tonic	2404
Early Bird Anthelmintic and Early Bird Improved	2442	Nascent Haloid Vapor Generator device	2438
Electronic Device	2402	Nature's Minerals	2430
Enricho No. 1 and Enricho No. 2	2443	Noxaton	2445
Estrinol	2448	No. 3 Formula GE-2, No. 6 Formula GE-5, No. 14 Formula GH-3F, and No. 23 Formula GH-11	2401
Estrogenic substances	2403, <sup>4</sup> 2408, 2409, 2422, 2424, 2448		
Estrusol tablets and Estrusol in oil	2422		
FTC Liquid for Poultry	2445		
Firmo	2424		
Gaduplex	2407		
Garlic-Parsley Tablets	<sup>2</sup> 2405		
Giles Veterinary Medicine	2441		
Gingisol	2428		
Hair and scalp tonic	2427		

<sup>2</sup> (2405) Seizure contested. Contains findings of fact and conclusions of law.

<sup>3</sup> (2417) Permanent injunction issued.

<sup>4</sup> (2408) Prosecution contested.